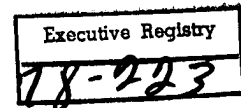


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OGC 78-0514
26 January 1978



MEMORANDUM FOR: Director of Central Intelligence

VIA: Acting Deputy Director of Central Intelligence

FROM: Anthony A. Lapham
General Counsel

SUBJECT: Proposed Headquarters Notice Regarding Executive
Order 12036 Superseding Executive Order 11905

1. Action Requested: It is requested that you review and sign the attached Headquarters Notice.

2. Background: The attached proposed Headquarters Notice is intended to explain to all employees, in summary fashion, the most important features of Executive Order 12036, signed and promulgated by President Carter to supersede Executive Order 11905. It is clear that the new Order will require changes in Agency regulations, directives, instructions, policies and practices. As I see it, however, the nature of the necessary changes will be dictated very largely by the various sets of implementing procedures, both those that do not now exist (procedures relating to the collection, dissemination and retention of non-public information concerning U. S. persons, procedures relating to undisclosed participation in domestic organizations, etc.) and any revisions of those that do exist (procedures relating to electronic surveillance and unconsented physical searches directed against U. S. persons abroad, etc.). Pending the establishment of these procedures and their approval by the Attorney General, which I expect will be a drawn-out process, Section 4-105 of E. O. 12036 provides that the affected activities are to be conducted under the terms and conditions of E. O. 11905. Accordingly, the proposed Notice does not call for immediate modification of Agency regulations, etc. In that regard it says simply that questions as to the interpretation of the new Order, or as to the need for any modification of Agency regulations, are to be referred to this Office.

3. Recommendation: It is recommended that you execute the attached proposed Notice.

A rectangular box with a thin black border, intended for a signature.

Anthony A. Lapham

STAT

Attachment

SUBJECT: Proposed Headquarters Notice Regarding Executive Order
12036 Superseding Executive Order 11905

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